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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/033,028	12/28/2001	Richard E. Smalley	11321-P012USD13	1029
7590	02/03/2006		EXAMINER	
HUGH R. KRESS WINSTEAD SECHREST & MINICK, P.C. 2400 BANK ONE CENTER 910 TRAVOS STREET HOUSTON, TX 77002			HENDRICKSON, STUART L	
			ART UNIT	PAPER NUMBER
			1754	
DATE MAILED: 02/03/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

The Petition for restart is noted. The Office Action mailed 1/11/05 is reiterated, repeated and incorporated herein by reference. It is believed that applicant can access a copy of the action.

Applicant's amendment necessitated the new ground(s) of rejection presented in the Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication should be directed to examiner Hendrickson at telephone number (571) 272-1351.



Stuart Hendrickson  
examiner Art Unit 1754